(19) World Intellectual Property Organization International Bureau



13 DEC 2004 1 (BBB) BUILDON I SIDUN BITAN III I II II BUN BITAN II II BUN BITAN II II BUN BITAN II BUN BITAN II BUN BITAN II BUN BITAN II II BUN BITAN BITAN II BUN BITAN BIT

WO 03/072025 A3

(10) International Publication Number

(43) International Publication Date 4 September 2003 (04.09.2003)

PCT

(51) International Patent Classification<sup>7</sup>: 9/32, 9/36

A61K 9/22,

(21) International Application Number: PCT/US03/04866

(22) International Filing Date: 21 February 2003 (21.02.2003)

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

60/357,851

21 February 2002 (21.02.2002)

(71) Applicant (for all designated States except US): BIOVAIL LABORATORIES INC. [BB/BB]; Chelston Park, Building 1, Ground Floor, Collymore Rock, St. Michael, West Indies (BB).

(72) Inventors; and

(75) Inventors/Applicants (for US only): SETH, Pawan [IN/US]; 10 Meryton, Irvine, CA 92612 (US). MAES, Paul, J. [BE/US]; 10205 Windsor View Drive, Potomac, MD 20854 (US).

(74) Agents: TESKIN, Robin, L. et al.; Pillsbury Winthrop LLP, 1600 Tysons Boulevard, McLean, VI 22102 (US).

(81) Designated States (national): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, OM, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.

(84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

#### Published:

- with international search report
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments
- (88) Date of publication of the international search report: 6 November 2003

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: MODIFIED RELEASE FORMULATIONS OF AT LEAST ONE FORM OF TRAMADOL

(57) Abstract: The present invention provides for a modified release pharmaceutical composition comprising at least one form of tramadol selected from the group consisting of tramadol, enantiomers thereof, pharmaceutically acceptable salts thereof and combinations thereof, the composition exhibiting an in vitro dissolution profile (measured using the USP Basket Method at 75 rpm in 900 ml 0.1 N HCl at 37 °C) such that after 2 hours, from about 0 % up to about 30 % (by weight) of the at least one form of tramadol is released, after 4 hours, from about 5 % to about 22 % (by weight) of the at least one form of tramadol is released, after 6 hours, from about 15 % to about 38 % (by weight) of the at least one form of tramadol is released, after 8 hours, more than about 40 % (by weight) of the at least one form of tramadol is released.

# BEST AVAILABLE COPY







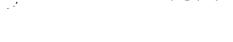
#### INTERNATIONAL SEARCH REPORT

International application No. PCT/US03/04866

A. CLASSIFICATION OF SUBJECT MATTER  IPC(7) :A61K 9/22, 9/32, 9/36 US CL :424/468, 470, 480, 482 According to International Patent Classification (IPC) or to both national classification and IPC  B. FIELDS SEARCHED  Minimum documentation searched (classification system followed by classification symbols) U.S. : 424/468, 470, 480, 482  Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched  Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) Please See Extra Sheet.  C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category Citation of document, with indication, where app	propriate, of the relevant passages Relevant to claim No.	
Y US 6,254,887 B1 (Miller et al) 03 July especially column 4, lines 45-55, column 7, examples 1-8.		
Further documents are listed in the continuation of Box C. See patent family annex.		
Special categories of cited documents:  "A" document defining the general state of the art which is not considered to be of particular relevance  "E" earlier document published on or after the international filing date  "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)  "O" document referring to an oral disclosure, use, exhibition or other means  "P" document published prior to the international filing date but later than the priority date claimed	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention.  *X"  document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone  "Y"  document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art  document member of the same patent family	
Date of the actual completion of the international search 29 JUNE 2003	Date of mailing of the international search report	
Name and mailing address of the ISA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703) 305-3230	Authorized officer  JAMES M. SPEAR Allo Lellen, for Telephone No. (703) 308-1235	

Form PCT/ISA/210 (second sheet) (July 1998)\*

## **BEST AVAILABLE COPY**





### INTERNATIONAL SEARCH REPORT

International application No. PCT/US03/04866

B. FIELDS SEARCHED  Electronic data bases consulted (Name of data base and where practicable terms used):	
WEST- search terms: tramadol coated table of tramadol modified release tablet, dissolution profile or controlled release or sustained release or delayed release, tramadol AUC, Cmax, Cmin, Tmax, tramadol and ethylcellulose or polvinylpyrrolidone or dibutyl sebecate	
	ļ